

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division

CENTRIPETAL NETWORKS, LLC,
Plaintiff,

v.

Civil Action No. 2:22-CV-00002

KEYSIGHT TECHNOLOGIES, INC.,
Defendant.

ORDER

On March 20, 2023, the Court stayed this matter pending the outcome of an International Trade Commission (“ITC”) investigation involving three of the asserted patents. Mem. Order at 12, ECF No. 57. On August 28, 2023, Plaintiff filed a Motion to Lift Stay and Reopen Case (“Motion”), ECF No. 59, which the Court took under advisement, Order, ECF No. 66. Since that time, the ITC issued its Final Determination, to which Plaintiff noted an appeal.¹ Status Report at 3, ECF No. 69. Defendant has also filed petitions of *inter partes* review (“IPR”) with the Patent Trial and Appeal Board. *Id.* at 3–4. The Parties request that this matter remain stayed pending the receipt of Final Written Decisions for all patents subject to IPR proceedings. *Id.* at 4.

Accordingly, Plaintiff’s Motion, ECF No. 59, is DENIED WITHOUT PREJUDICE. The Parties are ORDERED to submit a joint notice to the Court within five (5) days once all Final Written Decisions are entered and all appeals of the ITC determination are exhausted.

It is SO ORDERED.



Elizabeth W. Hanes
United States District Judge

Norfolk, Virginia
Date: April 2, 2024

¹ The ITC’s determination is not “final” until all appeals have been exhausted. 28 U.S.C. § 1659(a); *see In re Princo Corp.*, 486 F.3d 1365, 1369 (Fed. Cir. 2007) (discussing “finality” in the context of 28 U.S.C. § 1659).